

HOUSE BILL No. 2020

By Legislative Educational Planning Committee

12-28

9 AN ACT relating to state educational institutions; concerning the con-
10 version of positions in the classified service to positions in the unclas-
11 sified service; amending K.S.A. 2004 Supp. 75-2935 and repealing the
12 existing section.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 New Section 1. (a) The state board of regents may authorize any
16 state institution of higher education to convert all classified staff employee
17 positions in the institution to the unclassified service of state employment.
18 Those classified staff employees whose positions are converted from clas-
19 sified to unclassified status shall retain all health and flexible benefits and
20 leave and retirement benefits provided to them under the state classified
21 employee system. Each institution designated by the board shall develop
22 a system for administration of all other aspects of employment for these
23 employees. Implementation of this section shall not cause a salary reduc-
24 tion or layoff of any classified employee.

25 (b) For the limited purposes of this section, and K.S.A. 74-4925, and
26 amendments thereto, these newly designated unclassified employees shall
27 be referred to as “university support staff” and the university of Kansas
28 medical center shall be considered a state institution of higher education
29 separate from the university of Kansas Lawrence, and its campuses.

30 Sec. 2. K.S.A. 2004 Supp. 75-2935 is hereby amended to read as
31 follows: 75-2935. The civil service of the state of Kansas is hereby divided
32 into the unclassified and the classified services.

33 (1) The unclassified service comprises positions held by state officers
34 or employees who are:

35 (a) Chosen by election or appointment to fill an elective office;

36 (b) members of boards and commissions, heads of departments re-
37 quired by law to be appointed by the governor or by other elective offi-
38 cers, and the executive or administrative heads of offices, departments,
39 divisions and institutions specifically established by law;

40 (c) except as otherwise provided under this section, one personal sec-
41 retary to each elective officer of this state, and in addition thereto, 10
42 deputies, clerks or employees designated by such elective officer;

43 (d) all employees in the office of the governor;

- 1 (e) officers and employees of the senate and house of representatives
2 of the legislature and of the legislative coordinating council and all officers
3 and employees of the office of revisor of statutes, of the legislative re-
4 search department, of the division of legislative administrative services,
5 of the division of post audit and the legislative counsel;
- 6 (f) chancellor, president, deans, administrative officers, student
7 health service physicians, pharmacists, teaching and research personnel,
8 health care employees and student employees in the institutions under
9 the state board of regents, the executive officer of the board of regents
10 and the executive officer's employees other than clerical employees, and,
11 at the discretion of the state board of regents, directors or administrative
12 officers of departments and divisions of the institution and county exten-
13 sion agents, except that this subsection (1)(f) shall not be construed to
14 include the custodial, clerical or maintenance employees, or any employ-
15 ees performing duties in connection with the business operations of any
16 such institution, except administrative officers and directors; as used in
17 this subsection (1)(f), "health care employees" means employees of the
18 university of Kansas medical center who provide health care services at
19 the university of Kansas medical center and who are medical technicians
20 or technologists or respiratory therapists, who are licensed professional
21 nurses or licensed practical nurses, or who are in job classes which are
22 designated for this purpose by the chancellor of the university of Kansas
23 upon a finding by the chancellor that such designation is required for the
24 university of Kansas medical center to recruit or retain personnel for
25 positions in the designated job classes; and employees of any institution
26 under the state board of regents who are medical technologists;
- 27 (g) operations, maintenance and security personnel employed to im-
28 plement agreements entered into by the adjutant general and the federal
29 national guard bureau, and officers and enlisted persons in the national
30 guard and the naval militia;
- 31 (h) persons engaged in public work for the state but employed by
32 contractors when the performance of such contract is authorized by the
33 legislature or other competent authority;
- 34 (i) persons temporarily employed or designated by the legislature or
35 by a legislative committee or commission or other competent authority
36 to make or conduct a special inquiry, investigation, examination or
37 installation;
- 38 (j) officers and employees in the office of the attorney general and
39 special counsel to state departments appointed by the attorney general,
40 except that officers and employees of the division of the Kansas bureau
41 of investigation shall be in the classified or unclassified service as provided
42 in K.S.A. 75-711, and amendments thereto;
- 43 (k) all employees of courts;

- 1 (l) client, patient and inmate help in any state facility or institution;
2 (m) all attorneys for boards, commissions and departments;
3 (n) the secretary and assistant secretary of the Kansas state historical
4 society;
5 (o) physician specialists, dentists, dental hygienists, pharmacists,
6 medical technologists and long term care workers employed by the de-
7 partment of social and rehabilitation services;
8 (p) physician specialists, dentists and medical technologists employed
9 by any board, commission or department or by any institution under the
10 jurisdiction thereof;
11 (q) student employees enrolled in public institutions of higher
12 learning;
13 (r) administrative officers, directors and teaching personnel of the
14 state board of education and the state department of education and of
15 any institution under the supervision and control of the state board of
16 education, except that this subsection (1)(r) shall not be construed to
17 include the custodial, clerical or maintenance employees, or any employ-
18 ees performing duties in connection with the business operations of any
19 such institution, except administrative officers and directors;
20 (s) all officers and employees in the office of the secretary of state;
21 (t) one personal secretary and one special assistant to the following:
22 The secretary of administration, the secretary of aging, the secretary of
23 agriculture, the secretary of commerce, the secretary of corrections, the
24 secretary of health and environment, the superintendent of the Kansas
25 highway patrol, the secretary of labor, the secretary of revenue, the sec-
26 retary of social and rehabilitation services, the secretary of transportation,
27 the secretary of wildlife and parks and the commissioner of juvenile
28 justice;
29 (u) one personal secretary and one special assistant to the chancellor
30 and presidents of institutions under the state board of regents;
31 (v) one personal secretary and one special assistant to the executive
32 vice chancellor of the university of Kansas medical center;
33 (w) one public information officer and one chief attorney for the fol-
34 lowing: The department of administration, the department on aging, the
35 department of agriculture, the department of commerce, the department
36 of corrections, the department of health and environment, the depart-
37 ment of labor, the department of revenue, the department of social and
38 rehabilitation services, the department of transportation, the Kansas de-
39 partment of wildlife and parks and the commissioner of juvenile justice;
40 (x) civil service examination monitors;
41 (y) one executive director, one general counsel and one director of
42 public affairs and consumer protection in the office of the state corpo-
43 ration commission;

- 1 (z) specifically designated by law as being in the unclassified service;
- 2 (aa) all officers and employees of Kansas, Inc. and the Kansas tech-
- 3 nology enterprise corporation; ~~and~~
- 4 (bb) any position that is classified as a position in the information
- 5 resource manager job class series, that is the chief position responsible
- 6 for all information resources management for a state agency, and that
- 7 becomes vacant on or after the effective date of this act. Nothing in this
- 8 section shall affect the classified status of any employee in the classified
- 9 service who is employed on the date immediately preceding the effective
- 10 date of this act in any position that is a classified position in the infor-
- 11 mation resource manager job class series and the unclassified status as
- 12 prescribed by this subsection shall apply only to a person appointed to
- 13 any such position on or after the effective date of this act that is the chief
- 14 position responsible for all information resources management for a state
- 15 agency; *and*
- 16 (cc) *positions at state institutions of higher education that have been*
- 17 *converted to unclassified positions pursuant to section 1 and amendments*
- 18 *thereto.*
- 19 (2) The classified service comprises all positions now existing or here-
- 20 after created which are not included in the unclassified service. Appoint-
- 21 ments in the classified service shall be made according to merit and fitness
- 22 from eligible pools which so far as practicable shall be competitive. No
- 23 person shall be appointed, promoted, reduced or discharged as an officer,
- 24 clerk, employee or laborer in the classified service in any manner or by
- 25 any means other than those prescribed in the Kansas civil service act and
- 26 the rules adopted in accordance therewith.
- 27 (3) For positions involving unskilled, or semiskilled duties, the sec-
- 28 retary of administration, as provided by law, shall establish rules and reg-
- 29 ulations concerning certifications, appointments, layoffs and reemploy-
- 30 ment which may be different from the rules and regulations established
- 31 concerning these processes for other positions in the classified service.
- 32 (4) Officers authorized by law to make appointments to positions in
- 33 the unclassified service, and appointing officers of departments or insti-
- 34 tutions whose employees are exempt from the provisions of the Kansas
- 35 civil service act because of the constitutional status of such departments
- 36 or institutions shall be permitted to make appointments from appropriate
- 37 pools of eligibles maintained by the division of personnel services.
- 38 Sec. 3. K.S.A. 2004 Supp. 75-2935 is hereby repealed.
- 39 Sec. 4. This act shall take effect and be in force from and after its
- 40 publication in the statute book.